

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
vs.) NO. 04-30034-MAP
)
MICHAEL CROOKER)

**RENEWED MOTION TO DISMISS DUE TO DEPRIVATION OF A SPEEDY TRIAL
AND VIOLATION OF 18 U.S.C. §3164**

The defendant has now been detained without bail for 21 ½ months for a victimless, nonviolent crime that is not even an offense (air rifle silencer). He has been denied a speedy trial despite numerous complaints. See Defendant's Motion to Dismiss Due to Deprivation of Speedy Trial and Prosecutorial Misconduct Related Thereto, dated March 21, 2006. Title 18 U.S.C. §3164 has clearly been violated. This statute requires detained defendants, like this defendant, going to the head of the queue and their case taking precedence over all civil cases and all criminal cases without detained defendants.

Defendant fails to see what the problem is. There has been a 70-day, speedy trial law on the books for decades now as well as a 90-day cap on pretrial detention in §3164. In the 1970's this defendant went through this Federal court system three different times and in all three cases the Indictment to Sentence/Final Judgement time elapsed was under 6 months, including in one case, a two-week jury trial.

WHEREFORE, the case should be dismissed, OR IN THE ALTERNATIVE, the defendant ordered transferred to a halfway house.

Respectfully submitted,
THE DEFENDANT

BY: /s/ Vincent A. Bongiorno
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CERTIFICATE OF SERVICE

I, Vincent A. Bongiorno, Esq., do hereby certify that I have served a copy of the foregoing via CM/ECF to the Assistant United States Attorney, Kevin O'Regan, United States District Court, 1550 Main Street, Springfield, MA. 01103 this 13th day of April 2006.

/s/ Vincent A. Bongiorno